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PTO/RS/21 (03-80)

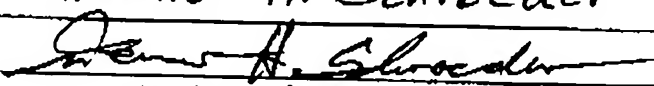
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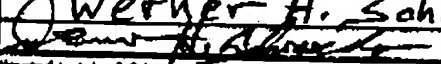
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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	10/001,340	
	Filing Date	11/23/2001	
	First Named Inventor	Alan Baruch	
	Group Art Unit	1771	
	Examiner Name	C.A. Juska	
Total Number of Pages in This Submission	8	Attorney Docket Number	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Amendment after first Office Action

Application SN. 10/001,340

This communication is a response to a first Office Action having a mailing date of 05/07/2003 and setting forth a shortened statutory period for response of three months which would expire on 08/07/2003.

Remarks

The response will follow the examiner's paragraph numbering in the detailed action.

1. the examiner objected to the disclosure for not accurately reciting some numbers. This has been corrected on a separate page.
2. The specification has been objected to for failing to provide a proper antecedent basis for the claimed subject matter. This has been corrected by adding a sentence to paragraph 6 on page 5. This is not an introduction of new matter because the subject matter of claim 7 is part of the original disclosure.
3. Quotation of 35 U.S.C. 112 2nd par.
4. Claims 7 and 8 are rejected under 35 U.S.C. 112 2nd Par. as being indefinite for failing to to particularlt point out and distinctly claim the subject matter.
5. Claim 7 recites a certain limitation having insufficient antecedent basis in the claim. This has been corrected by eliminating the conflicting recitation. The claim now simply refers back to the second layer.
6. Claims 1 - 6 have been allowed